

**IN THE HIGH COURT OF UTTARANCHAL AT
NAINITAL.**

Writ Petition No. 1082 (S/S) of 2006

Ganga Ram, son of Sri Brij Lal,
resident of Village – Umrakala,
Block – Khatima,
District – Udham Singh Nagar.

.....Petitioner

V e r s u s

1. The Executive Engineer, Nal Koop Khand, Haldwani,
District – Nainital.
2. The District Panchayat Raj Adhikari, Udham Singh
Nagar.
3. Laxmi Devi, wife of Sri Diwan Singh, R/o Khetal Snada
Mustajar, Khatima, Udham Singh Nagar.

.....Respondents

Hon'ble M.M. Ghildiyal, J.

Heard Sri S.C. Bhatt, learned counsel for the petitioner
and Sri Paresh Tripathi, learned counsel for State of Uttaranchal
on behalf of respondents no. 1 and 2.

Learned counsel for both the parties are agree to decide
the writ petition at its admission stage itself.

By means of this writ petition, the petitioner has prayed
for the following reliefs:

- (a) *Issue a writ, order or direction in the nature of
Certiorari quash the impugned order dated 22.07.2006
(Annexure) passed by respondent no. 1.*
- (b) *Issue a writ, order or direction in the nature of
Mandamus commanding the respondents not to suspend
the petitioner in pursuance to the impugned order dated
22.07.2006 (annexure no. 1) passed by respondent no. 1.*

- (c) *Issue a suitable writ, order or direction, which this Hon'ble Court may deem fit and proper.*
- (d) *award the costs of the writ petition to the petitioner from the contesting respondents.*

Vide order dated 22.07.2006 passed by respondent no. 1 the Petitioner, who is working as Gram Panchayat Vikas Adhikari, Nalkoopkhand, Khatima, Udham Singh Nagar, has been placed under suspension for certain charges and petitioner was also attached in Nal Koop Khand – III, Rudrapur, District – Udham Singh Nagar.

Learned counsel for the petitioner has submitted that prior to passing of impugned suspension order he has already been transferred from Khatima to Sitarganj on 13.07.2006.

Prima facie, charges are serious in nature. No Inquiry Officer has yet been appointed by the respondents. I do not think it fit and proper to interfere with impugned suspension order at this stage. Accordingly, I direct the respondents to appoint the Inquiry Officer and conclude the inquiry and pass final order within a period of three months from the date of production certified copy of this order provided the petitioner cooperates with inquiry. The petitioner is directed to submit copy of this order before respondents within two weeks for today.

With this direction writ petition is finally; disposed of. No order as to costs.

(M.M. Ghildiyal, J)

August 08, 2006
SKSharma